

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DAVID K. LARA,	§	
TDCJ-CID # 1337673,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION H-13-2095
	§	
JUSTIN D. TAYLOR,	§	
	§	
Defendant.	§	

MEMORANDUM OPINION AND ORDER

The plaintiff, a TDCJ-CID inmate, has not complied with this court's Order of August 8, 2013, (Docket Entry No. 6) which required him to submit a more definite statement of the facts on which his complaint is based within thirty days. The court's Order specifically provided that "[f]ailure to comply as directed may result in the dismissal of this action." Id. The plaintiff has made no response. The plaintiff's failure to pursue this action forces this court to conclude that he lacks due diligence.

Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, this court determines that dismissal for want of prosecution is appropriate. See FED. R. CIV. P. 41(b); Link v. Wabash R.R., 82 S.Ct. 1386 (1962); Woodson v. Surgitek, Inc., 57 F.3d 1406, 1417 (5th Cir. 1995). The plaintiff is advised, however, that upon a proper showing, relief from this order may be granted in accordance with Fed. R. Civ. P. 60(b). See Link, 82 S.Ct. at 1391.

Accordingly, it is hereby **ORDERED** that this action be **DISMISSED** without prejudice for want of prosecution.

The Clerk shall provide copies of this Memorandum Opinion and Order to the parties.

SIGNED at Houston, Texas, on this 26th day of September, 2013.

A handwritten signature in black ink, appearing to read 'S. Lake', is written over a horizontal line.

SIM LAKE
UNITED STATES DISTRICT JUDGE